

 ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FEDERAL TRADE COMMISSION and
THE PEOPLE OF THE STATE OF NEW
YORK, by LETITIA JAMES, Attorney
General of the State of New York,

Plaintiffs,

v.

QUINCY BIOSCIENCE HOLDING
COMPANY, INC., a corporation;

QUINCY BIOSCIENCE, LLC, a limited
liability company;

PREVAGEN, INC., a corporation
d/b/a/ SUGAR RIVER SUPPLEMENTS;

QUINCY BIOSCIENCE
MANUFACTURING, LLC, a limited
liability company; and

MARK UNDERWOOD, individually and as
an officer of QUINCY BIOSCIENCE
HOLDING COMPANY, INC., QUINCY
BIOSCIENCE, LLC, and PREVAGEN,
INC.,

Defendants.

Case No. 1:17-cv-00124-LLS

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/17/21
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~~PROPOSED~~ STIPULATED ORDER TO EXTEND DEADLINES

WHEREAS Plaintiffs, the Federal Trade Commission and the People of the State of New York by Letitia James, Attorney General of the State of New York ("Plaintiffs"), and Defendants Quincy Bioscience Holding Company, Inc., Quincy Bioscience, LLC, Prevagen Inc., Quincy Bioscience Manufacturing, LLC, and Mark Underwood (collectively, "Defendants") (Plaintiffs and Defendants, collectively, "Parties") have conferred with respect to the deadlines for expert

discovery set forth in the Stipulated Scheduling Order for Fact and Expert Discovery (ECF No. 154);

WHEREAS the Stipulated Scheduling Order for Fact and Expert Discovery provides deadlines for the parties to exchange affirmative and rebuttal expert reports and to complete expert discovery;

WHEREAS Plaintiffs need additional time to exchange initial expert reports due to the schedules of Plaintiffs' experts; and

WHEREAS there have been five prior extensions of various case deadlines in this matter, which this Court has granted in Orders dated March 6, 2017 (to allow Defendants to file a Motion to Dismiss), March 20, 2020 (to allow Defendants to complete document production), June 8, 2020 (to provide for conducting depositions remotely in light of the COVID-19 pandemic), September 16, 2020 (to allow the Parties to continue to meet and confer on any Rule 30(b)(6) depositions of Plaintiffs and to extend the deadline for such depositions), and October 13, 2020 (to allow Plaintiffs to file letter-motions requesting a pre-motion discovery conference seeking protective orders in response to Defendant's Revised Rule 30(b)(6) Notices of Deposition to Plaintiffs).

IT IS HEREBY STIPULATED AND AGREED between and among the Parties, by and through their undersigned counsel, as follows:

1. **Expert Reports and Depositions:** The Parties will exchange affirmative expert reports no later than April 22, 2021. The Parties will exchange rebuttal expert reports no later than

June 24, 2021. The Parties will complete expert discovery, including expert depositions, by August 31, 2021.

2. **Status Conference:** The Status Conference currently set for July 23, 2021 at 12:30 p.m. is adjourned to September 10, 2021 at 12³⁰ p.m. LLS

SO STIPULATED:

Dated: New York, New York
March 17, 2021

FEDERAL TRADE COMMISSION

PEOPLE OF THE STATE OF NEW YORK
BY LETITIA JAMES

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Mark Underwood*

SO ORDERED, this 17th day of
March, 2021,

Louis L. Stanton
LOUIS STANTON
UNITED STATES DISTRICT JUDGE